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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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**TRANSMITTAL
FORM**


(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/673,833
	Filing Date	September 29, 2003
	First Named Inventor	Darian Gerlach, et al.
	Art Unit	3764
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	39262/287702

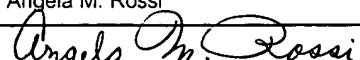
ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (two sheets) 2. 16 publications
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Geoffrey K. Gavin, Reg. No. 47,591 Kilpatrick Stockton LLP
Signature	
Date	August 26, 2004

CERTIFICATE OF MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Darian Gerlach, et al.

Serial No.: 10/673,833

Art Unit: 3764

Filed: September 29, 2003

Examiner: unknown

For: **BONE PLATES AND BONE PLATE ASSEMBLIES**

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No. 39262/287702

Date: August 26, 2004

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the enclosed Form PTO/SB/08 are submitted for consideration by the Examiner. Enclosed are copies of the publications cited.


Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made, or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed before the issuance of a first office action on the merits of the application (37 C.F.R. 1.97(b)(3)); therefore, no fee is believed to be due. If a fee is due, the Commissioner is authorized to charge such fee and

U.S. Serial No. 10/673,833
Filed: September 29, 2003
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

any additional fees that may be due or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,



Geoffrey K. Gavin
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AUG 30 2004

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Substitute for Form 1041-PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

1

of

2

Complete if Known

Application Number

10/673.833

Filing Date

September 29, 2003

First Named Inventor

Darin GERLACH

Group Art Unit

3764

Examiner Name

Attorney Docket Number

39262/287702

U.S. PATENT DOCUMENTS

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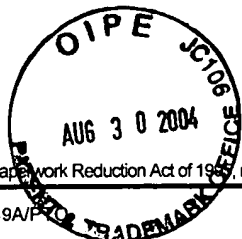
FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		0 355 035 B1	02/21/1990	Europe		
		0 468 192 B1	09/11/1996	Europe		Claims

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Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Application Number	10/673,833
Filing Date	September 29, 2003
First Named Inventor	Darin GERLACH
Group Art Unit	3764
Examiner Name	
Attorney Docket Number	39262/287702

Sheet 2 2

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Baumgaertel, <i>et al.</i> , "Fracture healing in biological plate osteosynthesis," <i>Injury</i> , 29(Supp. 3):S-C3-S-C6 (1998)	
		Bolhofner, <i>et al.</i> , "The Results of Open Reduction and Internal Fixation of Distal Femur Fractures Using a Biologic (Indirect) Reduction Technique," <i>Journal of Orthopaedic Trauma</i> , 10(6):371-377 (1996)	
		Farouk, <i>et al.</i> , "Minimally invasive plate osteosynthesis and vascularity: preliminary results of a cadaver injection study," <i>Injury</i> , 28(Supp. 1):S-A7-S-A12 (1997)	
		Farouk, <i>et al.</i> , "Minimally Invasive Plate Osteosynthesis: Does Percutaneous Plating Disrupt Femoral Blood Supply Less Than the Traditional Technique?," <i>Journal of Orthopaedic Trauma</i> , 13(6):401-406 (1999)	
		Frigg, <i>et al.</i> , "The development of the distal femur Less Invasive Stabilization System (LISS)," <i>Injury, Int. J. Care Injured</i> , 32(S-C24-31 (2001)	
		Gerber, <i>et al.</i> , "Biological internal fixation of fractures," <i>Arch. Orthop. Trauma Surg.</i> , 109:295-303 (1990)	
		Karnezis, <i>et al.</i> , "'Biological' internal fixation of long bone fractures: a biomechanical study of a 'noncontact' plate system," <i>Injury</i> , 29(9):689-695 (1998)	
		Koval, <i>et al.</i> , "Distal Femoral Fixation : A Biomechanical Comparison of the Standard Condylar Buttress Plate, a Locked Buttress Plate, and the 95-Degree Blade Plate," <i>Journal of Orthopaedic Trauma</i> , 11(7):521-524 (1997)	
		Krettek, <i>et al.</i> , "Minimally invasive percutaneous plate osteosynthesis (MIPPO) using the DCS in proximal and distal femoral fractures," <i>Injury</i> , 28(Supp. 1):S-A20-S-A30 (1997)	
		Krettek, <i>et al.</i> , "Intraoperative control of axes, rotation and length in femoral and tibial fractures," <i>Injury</i> , 29(Supp. 3):S-C-29-S-C39 (1998)	
		Miclau, <i>et al.</i> , "A Mechanical comparison of the Dynamic Compression Plate, Limited Contact-Dynamic Compression Plate, and Point Contact Fixator," <i>Journal of Orthopaedic Trauma</i> , 9(1):17-22 (1995)	
		Rüedi, <i>et al.</i> , "New Techniques in Indirect Reduction of Long Bone Fractures," <i>Clinical Orthopaedics and Related Research</i> , No. 347:27-34 (1998)	
		Schavan, <i>et al.</i> , "LISS - The Less Invasive Stabilization System for Metaphyseal Fractures of Femur and Tibia," <i>OTA 98 Posters</i> (1998)	

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SignatureDate
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